

Filoretova M. Freedom of peaceful meetings in Ukraine according to the European standards

The article deals with the analysis of the legal regulation of freedom of peaceful meetings in the national legislation of Ukraine, international legal acts ratified by the Verkhovna Rada of Ukraine, decisions of the European Court of Human Rights, which are related to the sources of law in Ukraine. The relevance of this topic is beyond doubt due to the existing gaps in the legal regulation of peaceful meetings in Ukraine. The purpose of the article is to study and compare the projects of Law of Ukraine “On Guarantees of Freedom of Peaceful Meetings” in accordance with international legal acts and practice of the European Court of Human Rights. The study examines decisions of the European Court of Human Rights in relation to Ukraine – “Verentsov v. Ukraine” and “Shmushkovych v. Ukraine,” a number of issues were identified in the rules of the national legislation that require further legal regulation and provided practical recommendations for the improvement of the current legislation.

Moreover, the article proposes the author’s approaches to solving the problem of the advance warning of the holding of the peaceful meeting, which should depend on the size of the meeting, the reasons for restricting peaceful meetings and the special procedure for appellate consideration of cases of restrictions on the freedom of peaceful meetings. The author also emphasizes the need for the adoption of a special Law “On Peaceful Meetings,” which must embody European principles and standards for a peaceful meeting.

Key words: freedom of peaceful gatherings, restriction of exercise of right to freedom of peaceful assembly, notification of peaceful gatherings.